



W.P.No.33986 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2024

CORAM :

THE HONOURABLE MR. R. MAHADEVAN, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE MOHAMMED SHAFFIQ

W.P.No.33986 of 2023

V.Kudiyarasan

... Petitioner

Vs.

- 1.The District Collector,
First Floor, Collectorate,
Thiruchengode Road,
Namakkal - 637 003.
- 2.The District Revenue Officer,
First Floor, Collectorate,
Thiruchengode Road,
Namakkal - 637 003.
- 3.The Tahsildar,
Mohanur, Mohanur Taluk,
Namakkal - 637 015.
- 4.The Block Development Officer,
Mohanur Ooratchi Ondriyam,
Mohanur Taluk,
Namakkal - 637 015.
- 5.The Village Panchayat President,
Sengapalli Panchayat,
Melapalpatti, Palapatti (Po),
Mohanur Taluk, Namakkal - 637 017.



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6.K.M.Sons Wood Grill & Labour Works,
Rep. by its Proprietor,
3/346, Sengapalli Main Road,
Melapalpatti, Mohanur (TK),
Namakkal - 637 017.

7.Tamil Nadu Pollution Control Board,
First Floor, 950/1, Poonamallee High Road,
Arumbakkam, Chennai - 600 106.

... Respondents

(R-7 impleaded as per order dated 16.02.2024
in W.M.P.No.5245 of 2024 in W.P.No.33986 of 2023)

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, to direct the respondents 1 to 5 to take immediate action to close down the sawmill running by the sixth respondent in the residential area viz., K.M.Sons Wood & Grill Works by considering the petitioner's representation dated 07.11.2023.

For petitioner : Mr.Deepan Uday

For respondents : Mr.A.Edwin Prabhakar
State Government Pleader for R1 to R3

Mr.S.J.Mohamed Sathik for R4

Mr.B.Bharath for R6

Mr.R.T.Shanmugasundar for R7

ORDER

(Order of the Court was made by Hon'ble Acting Chief Justice)

The prayer in this writ petition is to direct respondents 1 to 5 to take immediate action to close down the sawmill, viz., K.M. Sons Wood & Grill Works, run by the sixth respondent in the residential area, by considering the petitioner's



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representation dated 07.11.2023.

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2. The grievance of the petitioner is that the persistent noise and air pollution caused by the operation of the sawmill in the residential area is causing severe distress and health issues like asthma, headaches, vomiting, distress, and hearing problems to the the residents of Sengapalli Main Road, Melapalapatti,,

3. Initially, the petitioner made a representation on 10.08.2023 to the Collector's Office, and on the same day, the Central Pollution Control Board acknowledged the complaint and forwarded it for investigation. Subsequently, the Assistant Engineer from TNPCB, Namakkal, visited the site and instructed the owner to cease operations that emit noise and air pollution. Further, the Block Development Officer, Mohanur also visited the site and upon thorough checking, issued an order to halt such pollution-causing activities. However, the order of the Block Development Officer has not been fully implemented. Hence, the petitioner again made a representation dated 07.11.2023 to the respondents 1 to 5, which was not considered, leading to the filing of this writ petition.

4. The learned State Government Pleader appearing for the respondents 1 to 3, on instructions, submitted that the authorities concerned would inspect the sixth respondent's unit, and upon inspection, if the sixth respondent's unit is



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found to be run without any license or in violation of the pollution norms, appropriate action would be initiated as per law.

5. In view of the above submission, the grievance ventilated by the petitioner stands redressed.

6. Accordingly, the writ petition is disposed of with a direction to the respondent authorities to take action as per law, if the sixth respondent's unit is functioning without any license or in violation of the pollution norms. Such action shall be taken by the respondent authorities within a period of six weeks. There shall be no order as to costs.

7. List the matter for reporting compliance after six weeks.

[R.M.D., A.C.J.] [M.S.Q., J.]
10.06.2024

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Index: Yes / No.

Speaking order/ Non-speaking order

Neutral Citation: Yes / No.



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